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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,129	07/11/2003	Rodney C. Hemminger	ELSE-0818	4421

23377            7590            05/04/2005  
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EXAMINER	
KOBERT, RUSSELL MARC	
ART UNIT	PAPER NUMBER
	2829

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/618,129	HEMMINGER ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Russell M. Kober	2829

All participants (applicant, applicant's representative, PTO personnel):

(1) Russell M. Kober. (3) \_\_\_\_\_.

(2) Vincent Roccia. (4) \_\_\_\_\_.

Date of Interview: 27 April 2005.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

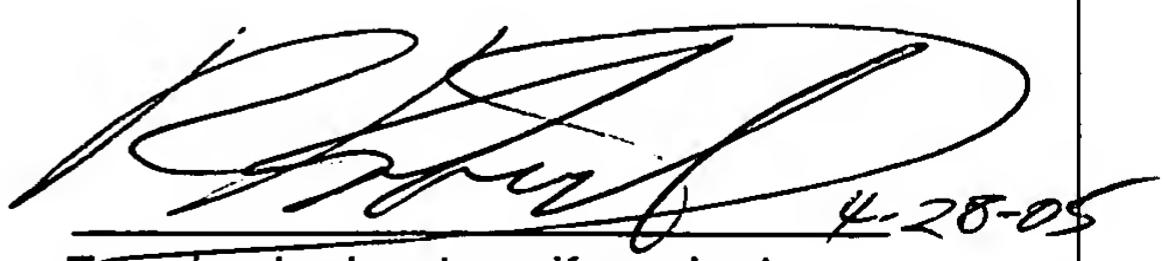
Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



4-28-05  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants' representative, Mr. Roccia contacted the Examiner, during the period of April 25 through April 27, 2005, to discuss consideration of references previously crossed out on the Form PTO-1449 filed October 14, 2003. References crossed through were not readily available to the Examiner at the time of examination and further included citations of litigation proceedings. Mr. Roccia was informed that if the cited prior art references previously not available for consideration would be submitted by separate letter, these references would then be considered. Mr. Roccia went on to further explain that the citations of litigation proceedings should have been considered and that MPEP paragraph 2001.06(c) stipulates that the examiner is required to consider these type of references. Upon further review of the cited MPEP paragraph, the Examiner is in agreement that the references should be considered and Applicants' representative was informed by telecon on April 27, 2005 that such was the case. However, Applicants' were further informed that although the cited litigation references had been considered, they were crossed though to prevent each from being printed on the face of the Patent at time of Issue. Applicants are hereby notified that each reference cited, regarding litigation proceedings, will remain part of the official record..